

February 16, 2011

**UNITED STATES OF AMERICA v. MARK A. CIAVARELLA**

**FILED  
SCRANTON**

FEB 18 2011

**GOVERNMENT'S EXHIBIT LIST**

**Judge Edwin M. Kosik**

PER my DEPUTY CLERK  
Criminal No. 3:CR-09-272

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
1.1	Local television news clip of Mark Ciavarella and Michael Conahan discussing the Luzerne County juvenile detention facility - December 19, 2002	X	X	Custodian of Records, WBRE Reporter who conducted interview
1.2	Copy of Placement Agreement Dated January 29, 2002 (PA Child Care)	X	X	Robert Powell (PA Child Care Stip)
1.3	Lease agreement dated 11/17/04 between Luzerne County and PA Child Care (\$58,000,000).	X	X	Robert Powell (Luzerne County Stip)
1.4	Handwritten notes of Robert Mericle dated 5/3/2000 relating to conversation with Robert Powell regarding juvenile detention facility	X	X	Robert Mericle (Mericle Stip)
1.5	Agreement of sale dated June 13, 2001 for the purchase of land by PA Child Care	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
1.6	Memo from Powell Law Group dated May 22, 2000 scheduling meeting for June 9, 2000; handwritten notes of Robert Mericle regarding meeting; e-mail dated June 12, 2000 from Robert Powell summarizing meeting of June 9, 2000	X	X	Robert Mericle Robert Powell (Mericle Stip)
1.7	Proposed Youth Detention Center Proposed Outline dated 12/19/2000	X	X	Robert Mericle Robert Powell (Mericle Stip)
1.8	Fax sheet dated March 7, 2001, from Mericle Construction to Mark Ciavarella concerning update on site location status; letter to Robert Powell of March 7, 2001 forwarding map of Pittston property	X	X	Robert Mericle (Mericle Stip)
1.10	Handwritten notes of Robert Mericle dated June 22, 2001 containing reference to "PJ Conahan Jan 2002"	X	X	Robert Mericle (Mericle Stip)
1.11	E-mail from Brian McManus to Robert Mericle dated July 11, 2001 containing reference to Court sending juveniles to facility	X	X	Robert Mericle (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
1.12	Letter dated 7/10/2001 from engineer regarding lease of juvenile detention facility	X	X	Robert Mericle Makowski (Mericle Stip)
1.13	Handwritten notes of Robert Mericle dated 7/12/2001 regarding final youth center pricing with computation of commission in margin ("\$1,000,000 M")	X	X	Robert Mericle (Mericle Stip)
1.15	E-mail from Brian McManus dated August 30, 2001 indicating that Powell cannot obtain financing until January of 2002	X	X	Robert Mericle (Mericle Stip)
1.16	PA Child Care "Package" dated 2/7/2002 containing Robert Mericle's handwritten notes regarding referral fee (p.4 on the draft agreement between owner and construction manager)	X	X	Robert Mericle (Mericle Stip)
2.1	Agreement Between Owner and Contractor (PA Child Care and Mericle Construction) dated February 19, 2002 with Preliminary Pre-Construction Schedule	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
2.2	Breakdown of construction costs by Mericle Construction for PA Child Care (\$6,520,000).	X	X	Robert Mericle Lewis Sebia (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
2.3	Registration and Commission Agreement between Robert Mericle and Robert Powell dated February 19, 2002 (\$997,600)	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
2.4	Letter dated January 7, 2003 from Robert Mericle to Robert Powell re: Agreement Between Owner and Contractor (PA Child Care and Mericle Construction)	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
3.1	Letter dated January 16, 2003 from Robert Powell to Robert Mericle re \$610,000 and \$387,600 wire transfers	X	X	Robert Powell Robert Mericle Lewis Sebia (Mericle Stip)
3.2	Citizens Bank notice to Mericle Construction noting a wire transfer on January 21, 2003 of \$610,000 from Account Number 6100173437 to Robert E. Matta. Esquire; Minersville Safe Deposit Bank & Trust notice of incoming wire	X	X	Ben Wylam Robert Mericle Lewis Sebia Robert Matta (Mericle Stip) (Minersville Stip)
3.3	Citizens Bank notice to Mericle Construction noting a wire transfer on January 24, 2003 of \$387,600 from Account Number 6100173437 to Robert Powell, Esq.	X	X	Ben Wylam Robert Mericle Lewis Sebia (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
3.4	Wire transfer dated January 28, 2003 (\$610,000) from Robert Matta to Beverage Marketing Leesport Bank (Minersville Bank).	X	X	Ben Wylam Robert Matta (Minersville Stip) (Matta Stip)
3.5	Beverage Marketing records relating to the disbursement of the \$610,000 (Specify all relevant transactions)	X	X	Lisa Davidson (Beverage Marketing Stip)
3.6	Citizens Bank records including transaction detail report for \$330,000 wire transfer from Beverage Marketing to Mark Ciavarella dated January 28, 2003 and Leesport Bank advice of outgoing wire transfer of \$330,000 from Beverage Marketing Account	X	X	Ben Wylam (Citizens Bank Stip) Lisa Davidson (Beverage Marketing Portion of Records) (Leesport Stip)
3.7	Citizens Bank records including transaction detail report for \$75,000 wire transfer from Beverage Marketing to Mark Ciavarella dated April 30, 2003	X	X	Ben Wylam (Citizens Bank Stip)
3.8	Citizens Bank records including transaction detail report for \$75,000 wire transfer from Beverage Marketing to Mark Ciavarella dated July 15, 2003 and Leesport Bank advice of outgoing \$75,000 wire transfer.	X	X	Ben Wylam (Citizens Bank Stip) Lisa Davidson (As to Beverage Marketing portion of transaction) (Leesport Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
3.9	Leesport Bank records, including debit memo for \$25,000 wire transfer from Beverage Marketing to Angela Sallemi dated August 13, 2003.	X	X	Ben Wylam Lisa Davidson Angela Sallemi (Leesport Stip)
3.10	Leesport Bank Records for \$105,000 transfer from account of Beverage Marketing to account of Michael Conahan dated August 21, 2003.	X	X	Ben Wylam Lisa Davidson (Leesport Stip)
3.11	IRS Form 1099 from Mericle Construction to Robert E. Matta for \$610,000 for the tax year 2003.	X	X	Ben Wylam Robert Mericle Lewis Sebia (Mericle Stip)
3.12	IRS Form 1099 from Robert Matta to Beverage Marketing for \$610,000 for the tax year 2003.	X	X	Ben Wylam Lisa Davidson (Matta Stip)
3.13	IRS Form 1099 from Mericle Construction to Robert J. Powell for \$387,600 for the tax year 2003	X	X	Ben Wylam Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
3.14	Bank signature card for Vision Holdings	X	X	Ben Wylam Robert Powell (Minersville Stip)
3.15	Bank statement for account of Vision Holdings at Minersville Safe Deposit Bank & Trust covering period 8-30-2003 to 9-30-2003 showing check 109 clears.	X	X	Ben Wylam Robert Powell (Minersville Stip)
3.16	Deposit Ticket dated August 29, 2003 (\$326,000) (Leesport Bank) and Vision Holdings check #109 issued to Robert Powell for \$326,000.	X	X	Ben Wylam Robert Powell (Leesport Stip)
3.17	Monthly statement for account number 5410 159 73 (Leesport Bank)	X	X	Ben Wylam (Leesport Stip)
3.18	PA Child Care Check 3289 dated June 16, 2005 payable to Robert Matta for \$10,000	X	X	Ben Wylam Robert Powell (PA Child Care Stip) (S&T Stip)
4.1	Photographs of Florida Condominium Owned by Pinnacle Group of Jupiter (Unit 303)	X	X	Robert Powell

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.2	Florida Department of State records: Articles of Incorporation for Pinnacle Group of Jupiter dated December 30, 2003.	X	X	Ben Wylam (Public Records Stip)
4.3	Palm Beach County records: General Warranty Deed from seller to Pinnacle Group of Jupiter for Condominium Unit 303 of the Mariner at Jupiter yacht club dated February 13, 2004	X	X	Ben Wylam (Public Records Stip)
4.4	Loan document for the purchase of the Florida Condo (FNCB).	X	X	Ben Wylam (FNCB Stip)
4.7	Signature card for Pinnacle Group of Jupiter checking account number 2000012577037 (Wachovia Bank).	X	X	Ben Wylam (Wachovia Stip)
4.8	Check Register for the years 2004 - 2006 for Pinnacle Group of Jupiter	X	X	Lisa Davidson (Pinnacle Stip)
4.9	Monthly statements and copies of deposit tickets and deposited items, Pinnacle Group of Jupiter bank account.	X	X	Ben Wylam (Wachovia Stip)
4.10	Pinnacle Group of Jupiter check number 1001 dated 2/1/04 payable to Cindy Ciavarella in the amount of \$35,000	X	X	Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.11	Pinnacle Group of Jupiter check number 1002 dated 2/1/04 payable to Barbara Conahan in the amount of \$35,000	X	X	Ben Wylam (Wachovia Stip)
4.12	Pinnacle Group of Jupiter debit memo dated 2/12/04 payable to Barbara Conahan in the amount of \$187,855.55	X	X	Ben Wylam (Wachovia Stip)
4.13	Pinnacle Group of Jupiter check number 1017 dated 2/28/04 payable to Cindy Ciavarella in the amount of \$50,000	X	X	Ben Wylam (Wachovia Stip)
4.14	Pinnacle Group of Jupiter check number 1018 dated 2/28/04 payable to Barbara Conahan in the amount of \$50,000	X	X	Ben Wylam (Wachovia Stip)
4.15	Pinnacle Group of Jupiter check number 1054 dated 5/01/04 payable to Barbara Conahan in the amount of \$33,000	X	X	Ben Wylam (Wachovia Stip)
4.16	Pinnacle Group of Jupiter check number 1055 dated 5/01/04 payable to Cindy Ciavarella in the amount of \$33,000 (Second endorsement Mark Ciavarella)	X	X	Ben Wylam (Wachovia Stip)
4.17	Pinnacle Group of Jupiter check number 1048 dated 5/17/04 payable to Barbara Conahan in the amount of \$3,770.74	X	X	Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.18	Pinnacle Group of Jupiter check number 1073 dated 7/20/04 payable to Cindy Ciavarella in the amount of \$33,000	X	X	Ben Wylam (Wachovia Stip)
4.19	Pinnacle Group of Jupiter check number 1074 dated 7/20/04 payable to Barbara Conahan in the amount of \$33,000	X	X	Ben Wylam (Wachovia Stip)
4.20	Pinnacle Group of Jupiter check number 1092 dated 9/27/04 payable to Cindy Ciavarella in the amount of \$50,000	X	X	Ben Wylam (Wachovia Stip)
4.21	Pinnacle Group of Jupiter check number 1093 dated 9/27/04 payable to Barbara Conahan in the amount of \$50,000	X	X	Ben Wylam (Wachovia Stip)
4.22	Pinnacle Group of Jupiter check number 1090 dated 10/7/04 payable to Cindy Ciavarella in the amount of \$281.00	X	X	Ben Wylam (Wachovia Stip)
4.23	Pinnacle Group of Jupiter check number 1121 dated 12/31/04 payable to Cindy Ciavarella in the amount of \$20,000	X	X	Ben Wylam (Wachovia Stip)
4.24	Pinnacle Group of Jupiter check number 1122 dated 12/31/04 payable to Barbara Conahan in the amount of \$20,000	X	X	Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.25	Pinnacle Group of Jupiter check number 1135 dated 2/7/05 payable to Cindy Ciavarella in the amount of \$30,000	X	X	Ben Wylam (Wachovia Stip)
4.26	Pinnacle Group of Jupiter check number 1136 dated 2/7/05 payable to Barbara Conahan in the amount of \$30,000	X	X	Ben Wylam (Wachovia Stip)
4.27	Pinnacle Group of Jupiter check number 1149 dated 4/1/05 payable to Cindy Ciavarella in the amount of \$30,000	X	X	Ben Wylam (Wachovia Stip)
4.28	Pinnacle Group of Jupiter check number 1150 dated 4/1/05 payable to Barbara Conahan in the amount of \$30,000	X	X	Ben Wylam (Wachovia Stip)
4.29	Pinnacle Group of Jupiter check number 1182 dated 7/18/05 payable to Cindy Ciavarella in the amount of \$350,000 (Second endorsement Mark Ciavarella)	X	X	Ben Wylam (Wachovia Stip)
4.30	Pinnacle Group of Jupiter check number 1183 dated 7/18/05 payable to Barbara Conahan in the amount of \$350,000	X	X	Ben Wylam (Wachovia Stip)
4.31	Pinnacle Group of Jupiter check number 1201 dated 10/15/05 payable to Barbara Conahan in the amount of \$3,000	X	X	Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.32	Pinnacle Group of Jupiter check number 1202 dated 10/15/05 payable to Cindy Ciavarella in the amount of \$3,000	X	X	Ben Wylam (Wachovia Stip)
4.33	Pinnacle Group of Jupiter check number 1215 dated 12/2/05 payable to Barbara Conahan in the amount of \$2,500	X	X	Ben Wylam (Wachovia Stip)
4.34	Pinnacle Group of Jupiter check number 1216 dated 12/2/05 payable to Cindy Ciavarella in the amount of \$2,500 (Second endorsement Mark Ciavarella)	X	X	Ben Wylam (Wachovia Stip)
4.35	Slip Rental Agreement between Jupiter Yacht Club Marina and Robert Arrington for "Reel Justice" covering October 21, 2003 and October 20, 2004	X	X	Robert Powell (Jupiter Marina Stip)
4.36	Summary of checks to Barbara Conahan and Cindy Ciavarella from Pinnacle Group of Jupiter	X	X	Ben Wylam
4.38	HUD Settlement Sheet Dated 2/13/04 between JCO Properties and Pinnacle Group of Jupiter	X	X	
4.40	Operating Agreement of Pinnacle Group of Jupiter, LLC	X	X	

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
4.42	Amended and Restated Operating Agreement of Pinnacle Group of Jupiter signed 3/3/04	X	X	
5.1	Robert J. Powell Check 101 in the amount of \$18,000 deposited to account of Pinnacle Group of Jupiter on January 20, 2004	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.2	Robert J. Powell Check 1002 in the amount of \$52,000 deposited on January 20, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.3	Vision Holdings, Inc. Check 161 in the amount of \$78,000 deposited on February 24, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.4	Vision Holdings, Inc. Check 162 in the amount of \$75,000 deposited on February 24, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.5	Vision Holdings, Inc. Check 163 in the amount of \$47,000 deposited on February 24, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
5.6	Vision Holdings, Inc. Check 176 in the amount of \$75,000 deposited on May 3, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.7	Vision Holdings, Inc. Check 177 in the amount of \$25,000 deposited on May 3, 2004 to the account of Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.8	Wire transfer dated July 12, 2004 (\$120,000) from Vision Holdings to Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
5.9	Wire transfer dated September 23, 2004 (\$100,000) from Vision Holdings to Pinnacle Group of Jupiter	X	X	Robert Powell Ben Wylam (Wachovia Stip)
6.1	Agreement Between Owner and Contractor (Western PA Child Care and Mericle Construction) dated June 8, 2004 with Preliminary Pre-Construction Schedule	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
6.2	Breakdown of construction costs by Mericle Construction for Western PA Child Care (\$9,745,300).	X	X	Robert Mericle Lewis Sebia (Mericle Stip)
6.3	Registration and Commission Agreement between Mericle Construction and Western PA Child Care dated June 8, 2004 and related facsimile transmittal and Federal Express slip.	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
6.4.1	Letter dated June 24, 2005 from Robert Mericle to Robert Powell signed by Sebia for Mericle re: Agreement between owner and contractor (Western PA Child Care/Mericle Construction)	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
6.4.2	Letter dated June 24, 2005 from Robert Mericle to Robert Powell signed by Robert Mericle re: Agreement between owner and contractor (Western PA Child Care/Mericle Construction)	X	X	Robert Mericle Robert Powell (Mericle Stip)
6.4.3	Letter dated 7-13-05 from Robert Powell to Robert Mericle	X	X	Robert Mericle Robert Powell (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
6.5	Wire transfer document reflecting \$1,000,000 to Wachovia Bank Account of Pinnacle Group of Jupiter from Citizens Bank account of Mericle Construction on July 15, 2005 (Western PA Child Care)	X	X	Robert Mericle Lewis Sebia Ben Wylam Robert Powell (Wachovia Stip)
6.6	Citizens Bank notice to Mericle Construction noting a wire transfer on July 15, 2005 of \$1,000,000 from Account Number 61000173437 to Pinnacle Group of Jupiter (Western PA Child Care).	X	X	Robert Mericle Lewis Sebia Ben Wylam Robert Powell (Mericle Stip)
7.1	Agreement Between Owner and Contractor (Expansion of PA Child Care/Mericle Construction) dated February 24, 2005 with Preliminary Pre-Construction Schedule and contract cost breakdown attached.	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
7.2	Registration and Commission Agreement between Robert Mericle and Robert Powell dated February 24, 2005 (Expansion of PA Child Care).	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
7.3	Letter dated February 2, 2006 from Robert Mericle to Robert Powell re: Agreement Between Owner and Contractor (Expansion of PA Child Care/Mericle Construction).	X	X	Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
7.4	Letter dated February 3, 2006 from Robert Powell to Robert Mericle regarding wire transfer instructions (\$150,000)(Expansion of PA Child Care).	X	X	Robert Powell Robert Mericle Lewis Sebia (Mericle Stip)
7.5	Domestic Wire Transfer form dated February 3, 2006 from Mericle Construction to Pinnacle Group of Jupiter (\$150,000)(Expansion of PA Child Care).	X	X	Robert Mericle Lewis Sebia Ben Wylam (Mericle Stip)
7.6	Wire transfer records reflecting \$150,000 wire transfer to Pinnacle Group of Jupiter on February 3, 2006 from <u>Citizens Bank Account of Mericle Construction</u> (Expansion of PA Child Care)	X	X	Robert Mericle Lewis Sebia Ben Wylam (Wachovia Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8	Bank copies of Exhibits 8.1 through 8.20	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCSB Stip) (S & T Stip)
8.1	Powell Law Group Check number 8606 dated 8/11/06 in the amount of \$9,800 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCSB Stip)
8.2	Powell Law Group Check number 8607 dated 8/11/06 in the amount of \$9,800 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCSB Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8.3	Powell Law Group Check number 8608 dated 8/11/06 in the amount of \$9,800 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FN CB Stip)
8.4	Powell Law Group Check number 8609 dated 8/11/06 in the amount of \$9,800 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FN CB Stip)
8.5	Powell Law Group Check number 8610 dated 8/11/06 in the amount of \$2,800 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FN CB Stip)
8.6	Powell Law Group Check number 9238 dated 10/27/06 in the amount of \$8,000 payable to Jill Moran	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FN CB Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8.7	Powell Law Group Check number 9241 dated 10/27/06 in the amount of \$4,000 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCB Stip)
8.8	Powell Law Group Check number 9244 dated 10/30/06 in the amount of \$4,700 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCB Stip)
8.9	Powell Law Group Check number 9268 dated 10/31/06 in the amount of \$3,300 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCB Stip)
8.10	PA Child Care Check number 3521 dated 11/13/06 in the amount of \$9,000 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8.11	PA Child Care Check number 3523 dated 11/14/06 in the amount of \$7,800 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)
8.12	PA Child Care Check number 3524 dated 11/15/06 in the amount of \$9,200 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)
8.13	PA Child Care Check number 3525 dated 11/15/06 in the amount of \$4,300 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)
8.14	PA Child Care Check number 3526 dated 11/17/06 in the amount of \$3,200 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8.15	PA Child Care Check number 3527 dated 11/17/06 in the amount of \$9,500 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)
8.16	PA Child Care Check number 3528 dated 11/17/06 in the amount of \$7,000 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (S&T Stip)
8.17	Robert Powell, Esq. Check number 1487 dated 12/15/06 in the amount of \$7,500 payable to Bernadette Sedor	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCSB Stip)
8.18	Robert Powell, Esq. Check number 1488 dated 12/15/06 in the amount of \$7,500 payable to Robert Powell	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCSB Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
8.19	Robert Powell, Esq. Check number 1489 dated 12/15/06 in the amount of \$7,500 payable to Patrick Owens	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCB Stip)
8.20	Robert Powell, Esq. Check number 1490 dated 12/15/06 in the amount of \$9,000 payable to Patrick Owens	X	X	Ben Wylam Robert Powell Jill Moran Patrick Owens Bernadette Sedor (FNCB Stip)
8.21	Summary chart of checks cashed at Powell's direction	X	X	Robert Powell Patrick Owens Bernadette Sedor
8.22	Fed Ex Box similar to box used by POWELL and MORAN to secure the cash.	X	X	Robert Powell Jill Moran
9.1	Supreme Court of Pennsylvania Order regarding financial disclosure and reporting requirement for judicial officers dated April 13, 1984 (correction and instructions attached).	X	X	(Public Records Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
9.2	Supreme Court of Pennsylvania Statement of Financial Interest for Mark A. Ciavarella, Jr. file stamped April 14, 2004	X	X	Nicholene DiPasquale (AOPC Stip)
9.3	Supreme Court of Pennsylvania Statement of Financial Interest for Mark A. Ciavarella, Jr. file stamped March 28, 2005.	X	X	Nicholene DiPasquale (AOPC Stip)
9.4	Supreme Court of Pennsylvania Statement of Financial Interest for Mark A. Ciavarella, Jr. file stamped April 24, 2006.	X	X	Nicholene DiPasquale (AOPC Stip)
9.5	Supreme Court of Pennsylvania Statement of Financial Interest for Mark A. Ciavarella, Jr. file stamped March 26, 2007.	X	X	Nicholene DiPasquale (AOPC Stip)
9.6	Supreme Court of Pennsylvania Statement of Financial Interest for Mark A. Ciavarella, Jr. file stamped March 31, 2008.	X	X	Nicholene DiPasquale (AOPC Stip)
9.7	Supreme Court of Pennsylvania Statement of Financial Interest for Michael T. Conahan file stamped April 19, 2004.	X	X	Nicholene DiPasquale (AOPC Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
9.8	Supreme Court of Pennsylvania Statement of Financial Interest for Michael T. Conahan file stamped March 7, 2005.	X	X	Nicholene DiPasquale (AOPC Stip)
9.9	Supreme Court of Pennsylvania Statement of Financial Interest for Michael T. Conahan file stamped March 30, 2006.	X	X	Nicholene DiPasquale (AOPC Stip)
9.10	Supreme Court of Pennsylvania Statement of Financial Interest for Michael T. Conahan file stamped April 16, 2007.	X	X	Nicholene DiPasquale (AOPC Stip)
9.11	Supreme Court of Pennsylvania Statement of Financial Interest for Michael T. Conahan file stamped March 20, 2008.	X	X	Nicholene DiPasquale (AOPC Stip)
10.1	Accountant Workpapers of Michael DeCosmo for Beverage Marketing Inc. (2003)	X	X	Michael DeCosmo (DeCosmo Stip)
10.2	Profit and Loss Statement for 2003 Beverage Marketing of PA.	X	X	Lisa Davidson (Beverage Marketing Stip)
10.3	Joe Smith entry from Beverage Marketing of PA, Inc. Real Estate Account check register	X	X	Lisa Davidson (Beverage Marketing Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
10.4	Accountant work paper file of Michael DeCosmo for Pinnacle Group of Jupiter, LLC for 2004.	X	X	Michael DeCosmo (DeCosmo Stip)
10.5	Accountant work paper file of Michael DeCosmo for Pinnacle Group of Jupiter, LLC for 2005.	X	X	Michael DeCosmo (DeCosmo Stip)
10.6	Accountant work paper file of Michael DeCosmo for Pinnacle Group of Jupiter, LLC for 2006.	X	X	Michael DeCosmo (DeCosmo Stip)
11.1	Accountant Workpapers of Jerome Matlowksi for Mark and Cindy Ciavarella (including copy of tax return 2003)	X	X	Jerome Matlowksi (Matlowksi Stip)
11.2	2004 Accountant workpapers of Jerome Matlowksi for Mark and Cindy Ciavarella	X	X	Jerome Matlowksi (Matlowksi Stip)
11.3	2005 Accountant workpapers of Jerome Matlowksi for Mark and Cindy Ciavarella	X	X	Jerome Matlowksi (Matlowksi Stip)
11.4	2006 Accountant workpapers of Jerome Matlowksi for Mark and Cindy Ciavarella	X	X	Jerome Matlowksi (Matlowksi Stip)
12.1	Accountant workshop file of Barry Spanial for Michael and Barbara Conahan (2003)	X	X	Barry Spanial (Spanial Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
12.2	Accountant workpaper file of Barry Spanial for Michael and Barbara Conahan (2004)	X	X	Barry Spanial (Spanial Stip)
12.3	Accountant workpaper file of Barry Spanial for Michael and Barbara Conahan (2005)	X	X	Barry Spanial (Spanial Stip)
12.4	Accountant workpaper file of Barry Spanial for Michael and Barbara Conahan (2006)(Including original return and amended return)	X	X	Barry Spanial (Spanial Stip)
14.2	Disc containing recorded conversation of Robert Powell, Mark Ciavarella and Michael Conahan recorded on 7-30-08	X	X	Robert Powell Ben Wylam
14.2.A	Transcript of recorded conversation of Robert Powell, Mark Ciavarella and Michael Conahan recorded on 7-30-08	X	X	Robert Powell Ben Wylam
15.1	Summary of gross revenue from Luzerne County to PA Child Care, Western PA and MAYS, 2003-2007	X	X	Patrick Owens

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
15.2	Loan documents relating to W-Cat, Inc.	X	X	Robert Powell Jill Moran (FNCB Stip)
15.4	Transcript dated 7/2/2009 from <i>Joseph v. The Scranton Times</i> , Lehigh County Court of Common Pleas No. 2166-C-2009, Volumes I and II.	X	X	Court Reporter (Transcribed Statement Stip)
16.1.1	Transcript of Account for Mark A. and Cindy Ciavarella (2003)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.1.2	Transcript of Account for Mark A. and Cindy Ciavarella (2004)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.1.3	Transcript of Account for Mark A. and Cindy Ciavarella (2005)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
16.1.4	Transcript of Account for Mark A. and Cindy Ciavarella (2006)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.2	Tax Return for Mark and Cindy Ciavarella Form 1040 for tax year 2003	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.3	Tax Return for Mark and Cindy Ciavarella Form 1040 for tax year 2004	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.4	Tax Return for Mark and Cindy Ciavarella Form 1040 for tax year 2005	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.5	Tax Return for Mark and Cindy Ciavarella Form 1040 for tax year 2006	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
16.6.1	Transcript of Account for Michael and Barbara Conahan (2003)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.6.2	Transcript of Account for Michael and Barbara Conahan (2004)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.6.3	Transcript of Account for Michael and Barbara Conahan (2005)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.6.4	Transcript of Account for Michael and Barbara Conahan (2006)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.7	Tax Return for Michael and Barbara Conahan Form 1040 for tax year 2003	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
16.8	Tax Return for Michael and Barbara Conahan Form 1040 for tax year 2004	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.9	Tax Return for Michael and Barbara Conahan Form 1040 for tax year 2005	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.10	Tax Return for Michael and Barbara Conahan Form 1040 for tax year 2006	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.11	Form 1040X Amended Return for 2006 for Michael and Barbara Conahan	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.12.1	Transcript of Account for Pinnacle Group of Jupiter (2004)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
16.12.2	Transcript of Account for Pinnacle Group of Jupiter (2005)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.12.3	Transcript of Account for Pinnacle Group of Jupiter (2006)	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.13	Tax Return for Pinnacle Group of Jupiter, LLC Form 1065 and K-1's for 2004.	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.14	Tax Return for Pinnacle Group of Jupiter, LLC Form 1065 and K-1's for 2005.	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)
16.15	Tax Return for Pinnacle Group of Jupiter, LLC Form 1065 for 2006.	X	X	Victoria O'Brien Ben Wylam Ray Eppley (IRS Stip)

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
16.16	Transcript of Account for Beverage Marketing of PA, Inc. For 2003	X	X	Victoria O'Brien Ben Wylam Ray Epley (IRS Stip)
16.17	Tax Return for Beverage Marketing of PA, Inc. Form 1120 for 2003.	X	X	Victoria O'Brien Ben Wylam Ray Epley (IRS Stip)
17.1	Bank Statements for Citizens Bank relating to Mark Ciavarella account 6100134776 (2003-2006)	X	X	Ben Wylam (Citizens Bank Stip)
17.2	Deposit tickets and deposited items for account 6100134776 of Mark Ciavarella (2003-2006)	X	X	Ben Wylam (Citizens Bank Stip)
17.3	Canceled Checks for Citizen's Bank Account number 6100134776 in the name of Mark Ciavarella	X	X	
17.4	Records of Automobile City regarding purchase of Nissan Exterra on 5/9/03	X	X	
17.5	Records of Wyoming Valley Motors regarding the purchase of a Volkswagen Jetta on April 22, 2004	X	X	

NO.	DESCRIPTION OF OBJECT OR ITEM	IDENTIFIED IN COURT	ADMITTED IN EVIDENCE	WITNESS ON THE STAND
7.3	Letter dated February 2, 2006 from Robert Mericle to Robert Powell re: Agreement Between Owner and Contractor (Expansion of PA Child Care/Mericle Construction).			Robert Mericle Lewis Sebia Robert Powell (Mericle Stip)
7.4	Letter dated February 3, 2006 from Robert Powell to Robert Mericle regarding wire transfer instructions (\$150,000)(Expansion of PA Child Care).			Robert Powell Robert Mericle Lewis Sebia (Mericle Stip)
7.5	Domestic Wire Transfer form dated February 3, 2006 from Mericle Construction to Pinnacle Group of Jupiter (\$150,000)(Expansion of PA Child Care).			Robert Mericle Lewis Sebia Ben Wylam (Mericle Stip)
7.6	Wire transfer records reflecting \$150,000 wire transfer to Pinnacle Group of Jupiter on February 3, 2006 from Wachovia Bank Account of Mericle Construction (Expansion of PA Child Care)			Robert Mericle Lewis Sebia Ben Wylam (Wachovia Stip)